



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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January 23, 2012

Mr. Phil Hutmacher
Acrowood Corp.
4425 South 3rd Avenue
Everett, Washington 98203-2515

**RE: Opinion Pursuant To WAC 173-340-515(5) On Proposed Remedial Action For The
Following Hazardous Waste Site:**

- Name: Acrowood Corporation Facility
- Address: 4425 South 3rd Avenue, Everett, Washington
- Facility/Site No.: 22755667
- VCP No.: NW2151

Dear Mr. Hutmacher:

Thank you for submitting documents regarding your proposed remedial action for Acrowood Corporation Facility (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Diesel and oil range total petroleum hydrocarbon (TPHd, TPHo), polycyclic aromatic hydrocarbon, and naphthalene into soil and groundwater.
- Trichloroethylene (TCE) into soil.

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.



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Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action(s):

1. *Phase II Environmental Site Assessment, Acrowood Corporation Facility, 4425 South 3rd Avenue, Everett, Washington*, prepared by Adapt Engineering Inc., February 6, 2011.
2. Letter from Brad Gilmore, Washington State Department of Ecology. *Re: Opinion Letter on further action at Acrowood Corporation Facility, 4425 South 3rd Avenue, Everett, Washington*. June 10, 2011.
3. *Focused Subsurface Investigation, 4425 South 3rd Avenue, Everett, Washington*, prepared by EcoCon Inc., September 30, 2011.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at 425.649.7239.

The Site is defined by the extent of contamination caused by the following release(s):

- Diesel and oil range total petroleum hydrocarbon (TPHd, TPHo), polycyclic aromatic hydrocarbon, and naphthalene into soil and groundwater.
- Trichloroethylene (TCE) into soil.

The Site is more particularly described in Enclosure A of the previous opinion letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site, Ecology has determined:**

- A terrestrial ecological evaluation (TEE) has not been completed at this Site. A preliminary evaluation indicates that an exclusion is not appropriate and a simplified TEE is necessary.
- In the previous opinion letter by Ecology issued for this Site, a Feasibility Study (FS) was identified as necessary to support the needed cleanup action of leaving the contaminated soil in place and implementing institutional controls. There are specific requirements for the submission of a FS and for the Disproportionate Cost Analysis (DCA) portion of the FS.

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- If institutional controls (i.e. environmental covenant) will be part of the selected cleanup action a copy of the covenant will need to be included with the FS.

This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit appropriate documentation to Ecology and request such an opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at 425-649-7191.

Sincerely,



Eugene Freeman
Site Manager
Toxics Cleanup Program

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cc: Jerry Sawetz, EcoCon Inc.
Sonia Fernandez, VCP Coordinator, Ecology